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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Benjamin P. Warner et al.

Docket No.: S-94,661

Serial No.: 09/859,701

Examiner:

Filed: May 16, 2001

Art Unit:

For : METHOD FOR DETECTING BINDING EVENTS  
USING MICRO-X-RAY FLUORESCENCE SPECTROMETRY

Box MISSING PARTS  
Assistant Commissioner for Patents  
Washington, DC 20231

COMPLETION OF FILING REQUIREMENTS

- I. ☒ The following is a reply to the Notice to File Missing Parts of Application (PTO-1533) dated August 6, 2001.
- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

- II. ☒ No original declaration or oath was filed and enclosed is the original declaration or oath for this application.
- ☐ The original declaration or oath which was filed was determined to be defective. A new original oath or declaration is attached.

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, DC 20231.

FACSIMILE

☐ transmitted by facsimile to the United States Patent and Trademark Office.

Date September 17, 2001

Samuel L. Borkowsky  
Signature

Samuel L. Borkowsky  
(type or print name of person certifying)

Attached is a

- ☐ Statement by a registered attorney that the application filed in the PTO is the application which the inventor executed by signing the declaration.
- ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

**AMENDMENT CANCELING CLAIMS**

- III. ☐ Cancel claims \_\_\_\_\_.

**SMALL ENTITY STATUS**

- IV. ☒ Applicant is entitled to small entity status.
- ☐ Applicant is other than a small entity.

**COMPLETION FEES**

- V. 1. Filing fee

☐ original patent application 37 CFR 1.16(a))-  
\$710.00; Small entity-\$355.00 \$ \_\_\_\_\_

2. Fees for claims

☐ each independent claim in excess of 3  
(37 CFR 1.16(b))- \$80.00; small entity-\$40.00 \$ \_\_\_\_\_

☐ each claim in excess of 20 (37 CFR 1.16(c))-  
\$18.00; small entity-\$9.00 \$ \_\_\_\_\_

☐ multiple dependent claim(s) (37 CFR 1.16(d))-  
\$270.00; small entity-\$135.00 \$ \_\_\_\_\_

3. Surcharge fees

☐ late payment of filing fee

and/or

☒ late filing of original declaration or oath  
(37 CFR 1.16(e))- \$130.00; small  
entity-\$65.00 \$ 65.00

4. ☐ Petition and fee for filing by other than all the inventors or a person not the inventor (37 CFR 1.47)-\$130.00 \$ \_\_\_\_\_

**TOTAL COMPLETION FEES** \$ \_\_\_\_\_

**EXTENSION OF TIME FEES**

(complete (a) or (b) as applicable)

VI. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 390.00	\$195.00
<input type="checkbox"/> three months	\$ 890.00	\$445.00
<input type="checkbox"/> four months	\$1,390.00	\$695.00

**EXTENSION OF TIME FEE** \$ \_\_\_\_\_

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

**EXTENSION FEE DUE WITH THIS REQUEST** \$ \_\_\_\_\_

or

- (b) ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**TOTAL FEE DUE**

VII. The total fee due is

Completion fee(s) \$ 65.00  
Extension fee (if any) \$ \_\_\_\_\_

**TOTAL FEE DUE** \$ 65.00

VIII.

- ☐ enclosed is a check in the amount of \$ \_\_\_\_\_  
☒ charge Account No. 12-2150 in the amount of \$ 65.00

A duplicate of this transmittal is attached.

**AUTHORIZATION TO CHARGE ADDITIONAL FEES**

IX.

- ☐ The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the pendency of this application to Account No. 12-2150.
- ☐ 37 CFR 1.16(a), (f), or (g) (filing fees)
- ☐ 37 CFR 1.16(b), (c), or (d) (presentation of extra claims)
- ☐ 37 CFR 1.17 (application processing fees)
- ☐ 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

X. As to any overpayment made please

- ☒ Credit to Account No. 12-2150.
- ☐ Send refund check.

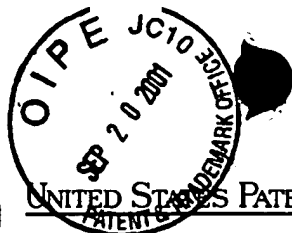
Respectfully submitted,

Date: September 17, 2001

Samuel L. Borkowsky  
Signature of Agent

Reg. No. 42,346  
Phone (505) 665-3111

Samuel L. Borkowsky  
Los Alamos National Laboratory  
LC/BPL, MS D412  
Los Alamos, New Mexico 87545



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/859,701	05/16/2001	Benjamin P. Warner	S-94,661

CONFIRMATION NO. 4132

## FORMALITIES LETTER



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Samuel L. Borkowsky  
Los Alamos National Laboratory  
LC/BPL, MS D412  
Los Alamos, NM 87545

Date Mailed: 08/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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